

REMARKS

The Examiner's communication dated March 29, 2004 has been received and carefully considered. In conformance with the applicable statutory requirement, this paper constitutes a complete reply and/or a bona fide attempt to advance the application to final action. Specifically, Applicant has amended claims 1-3, 7, 10, 12, 13, 19, 21 and 22, added new claims 28-30 and cancelled claim 18. In addition, detailed arguments in support of patentability are presented. Reexamination and/or reconsideration of the application as amended are respectfully requested.

Summary of the Office Action

Claims 1-17 and 19-27 were indicated as containing allowable subject matter.

Claims 1-27 stand rejected under 35 U.S.C. § 112, second paragraph.

Claim 18 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Nilsson.

Claim 18 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Fromknecht et al.

Specification

The specification has been amended to overcome the informality objections noted by the Examiner.

35 U.S.C. § 112, second paragraph

The claims have been carefully amended to overcome the 35 U.S.C. § 112 rejection.

The Claims Distinguish Patentably Over the Reference(s) of Record

Claim 1 and claims 2-7 dependent therefrom have already been indicated as being allowable over the references of record.

Claims 19 has been amended and placed in independent form incorporating the substantive elements of cancelled base claim 18. As claim 19 was indicated as containing allowable subject matter, it is respectfully submitted that claim 19 and claims 20 and 28-30 which depend from claim 19 are now in condition for allowance.

Claim 21 and claims 22-27 dependent therefrom have already been indicated as being allowable over the references of record.

CONCLUSION

All formal and informal matters having been addressed, it is respectfully submitted that this application is in condition for allowance. It is believed that the claim changes clearly place the application in condition for allowance, defining over any fair teaching attributable to the references of record. Alternatively, if the Examiner is of the view that the application is not in clear condition for allowance, it is requested that the Examiner telephone the undersigned for purposes of conducting a telephone interview to resolve any outstanding differences. Accordingly, an early notice of allowance is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

²³
July 22, 2004
Date


Jay F. Moldovanyi, Reg. No. 29,678
Erik J. Overberger, Reg. No. 48,556
1100 Superior Avenue
7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582


Certificate of Mailing



Under 37 C.F.R. § 1.8, I certify that this Amendment is being deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date
July 22, 2004

N:\RYLZ\200625\3A\AMD0002718V001.doc

 Signature
Printed Name
Kathleen A. Nimrichter